

AUG 16 2007 2:45PM

HARRINGTON & SMITH

RECEIVED
CENTRAL FAX CENTER

NO. 130 P. 1

AUG 16 2007

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/578,423 Confirmation No.: 1676
Applicant(s): Meijer et al.
Filed: 05/04/2006
Art Unit: 2833
Examiner: Gushi, Ross N.
Title: Connector System With Improved Unplugging Functionality

Attorney Docket No.: 003D.0099.U1(US)
Customer No.: 29,683

Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Request For Indication By Examiner That Cited References Have
Been Considered

Sir:

An Information Disclosure Statement (IDS) was filed with the patent application on 05/04/2006. This IDS included copies of Search Reports from the priority patent applications (the Search Report from the International Application, and the Search Report from the Netherlands priority application). The IDS also included copies of the cited art and a Form PTO-1449.

In the office action mailed 02/28/2007, the examiner crossed through the two cited references with an indication that they were not being considered because there was no English translation. This was an incorrect procedure. The references, even though not in the English language, should still have been considered.

MPEP 2001.06(a) explicitly indicates that:

AUG 16 2007

Appl. No.: 10/578,423

"Applicants and other individuals, as set forth in 37 CFR §1.56, have a duty to bring to the attention of the Office any material prior art or other information cited or brought to their attention in any related foreign application. The inference that such prior art or other information is material is especially strong ** where it has been used in rejecting the same or similar claims in the foreign application or where it has been identified in some manner as particularly relevant."

37 C.F.R. states:

"The Office encourages applicants to carefully examine:

(1) Prior art cited in search reports of a foreign patent office in a counterpart application..

to make sure that any material information contained therein is disclosed to the Office."

In the present case, the Search Reports indicated that the references were "X" references (documents of particular relevance).

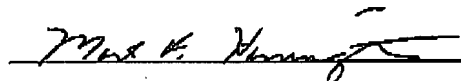
The requirements of 37 C.F.R. 1.98(A)(3)(i) were satisfied because the Search Reports constituted the "concise explanation of the relevance, as it is presently understood by the individual designated in §1.56(c) most knowledgeable about the content of the information, of each patent, publication, or other information listed that is not in the English language." 37 C.F.R. 1.98(A)(3)(ii) only requires a "copy of a translation if a written English-language translation of a non-English-language document, or portion thereof, is within

Appl. No.: 10/578,423

the possession, custody, or control of, or is readily available to any individual designated in §1.56(c)." (emphasis added). Applicants do not have an English translation of the references, but the Search Report from the International Application is in English and has been supplied.

The examiner is requested to return the Form PTO-1449 filed with the application with the references initialed to indicate review by the examiner. Should any unresolved issue remain, the examiner is invited to call applicants' attorney at the telephone number indicated below.

Respectfully submitted,


Mark F. Harrington (Reg. No. 31,686)

8/16/07
Date

Customer No.: 29683
Harrington & Smith, PC
4 Research Drive
Shelton, CT 06484-6212
203-925-9400

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

8/16/07
Date


Name of Person Making Deposit